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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	Case No. 18 CR 105
Plaintiff,)	
-vs-)	Chicago, Illinois
)	July 10, 2018
ADAM SPRENGER,)	1:56 p.m.
Defendant.)	

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE DANIEL G. MARTIN, MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff:	UNITED STATES ATTORNEY'S OFFICE
	BY: MS. KELLY MATTEA GREENING
	219 S. Dearborn Street
	Suite 500
	Chicago, IL 60604
For the Defendant:	THOMAS C. BRANDSTRADER, ATTORNEY AT LAW
	BY: MR. THOMAS C. BRANDSTRADER
	53 W. Jackson Boulevard
	Suite 618
	Chicago, IL 60604
	LAW OFFICE OF ANDREW GABLE
	BY: MR. ANDREW S. GABLE
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1 (Proceedings heard in open court:)

2 THE CLERK: 18 CR 105, United States v. Adam
3 Sprenger.

4 MR. BRANDSTRADER: Defendant.

5 THE COURT: Good morning.

6 Can all counsel and parties spell your last name in
7 the courtroom.

8 MS. GREENING: Good afternoon, Your Honor. Kelly
9 Greening on behalf of the United States. That's
10 G-r-e-e-n-i-n-g.

11 THE COURT: Ms. Greening, good afternoon.

12 MR. BRANDSTRADER: Judge, Thomas Brandstrader,
13 B-r-a-n-d-s-t-r-a-d-e-r, for Mr. Sprenger.

14 THE COURT: Mr. Brandstrader and Mr. Sprenger, good
15 afternoon to both of you.

16 MR. GABLE: Good afternoon, Your Honor. It's Andrew
17 Gable, G-a-b-l-e, on behalf of Mr. Sprenger.

18 THE COURT: Mr. Gable, good afternoon to you as well.

19 The case is set for arraignment. The purpose of the
20 hearing today, Mr. Sprenger, is to inform you of the formal
21 charges that have been brought against you, to take your plea
22 to these charges and to once again inform you of certain
23 rights that are important to you.

24 Again, you're not required to make any type of a
25 statement. If you have made a statement, you need not say

1 anything else. If you do choose to make a statement, you
2 could stop at any time knowing full well that any statement
3 you've already made could be used against you.

4 Bottom line on statements, any questions, you have
5 very capable attorneys. Talk to your attorneys. Talk only to
6 your attorneys, and they'll give you the best advice anyone
7 can. Okay?

8 THE DEFENDANT: Thank you, Your Honor.

9 THE COURT: Do you understand what I've told you?

10 THE DEFENDANT: Yes, Your Honor.

11 THE COURT: Okay. Speaking again of your attorneys,
12 you have the right to counsel, the right to confer with your
13 attorneys at every critical stage of the proceeding, including
14 right now. So if you have any questions of your lawyers, I'll
15 interrupt the proceedings and allow you to ask them any
16 questions you may have. Okay?

17 THE DEFENDANT: (No audible response).

18 THE COURT: If at some point you have discovered that
19 you are unable to afford an attorney -- Mr. Brandstrader and
20 Mr. Gable, you're retained?

21 MR. BRANDSTRADER: Yes, Judge.

22 THE COURT: Okay. You could have an attorney
23 appointed to represent you at no cost to you provided you make
24 a showing of indigency. Do you understand that?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: Okay. You have the right to consult with
2 and be represented by your attorney -- or your attorneys
3 during any potential questioning by governmental or law
4 enforcement authorities. Do you fully understand your rights
5 regarding your lawyers?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Okay.

8 Is there any question on the part of the defense or
9 the government of Mr. Sprenger's competency to understand the
10 nature of the proceedings being conducted here today?

11 MR. BRANDSTRADER: None, Judge.

12 THE COURT: Okay.

13 Government?

14 MS. GREENING: None from the government, Your Honor.

15 THE COURT: Okay.

16 And has the U.S. attorney provided a copy of the
17 indictment here to Mr. Sprenger?

18 MS. GREENING: Yes, Judge.

19 MR. BRANDSTRADER: Yes.

20 THE COURT: It is an indictment, not an information?

21 MS. GREENING: That's correct, Judge.

22 THE COURT: Okay.

23 You would acknowledge receipt of that?

24 MR. BRANDSTRADER: Yes, Your Honor.

25 THE COURT: Do you wish to have the indictment read

1 at this time?

2 MR. BRANDSTRADER: No, Judge. We would waive
3 reading. I discussed the indictment with my client yesterday
4 in Kankakee. We would ask the Court to enter pleas of not
5 guilty to each count.

6 THE COURT: Okay. Plea of not guilty will be entered
7 to each and every count in which Mr. Sprenger has been named.

8 I'm going to briefly ask government, very briefly, to
9 state the nature of the charges and the maximum possible
10 penalty involved, in hyphenated form, if you would.

11 MS. GREENING: Yes, Your Honor.

12 THE COURT: Thank you.

13 MS. GREENING: Counts One and Two charge the
14 defendant with employing and using a minor to engage in
15 sexually explicit conduct for the purpose of producing a
16 visual depiction of that conduct in violation of Title 18,
17 United States Code, Section 2251A. Both of those counts have
18 a mandatory minimum sentence of 15 years and a maximum of 30.

19 Count Three charges the defendant with transportation
20 of child pornography in violation of Title 18, United States
21 Code, Section 2252A(a)(1). That has a mandatory minimum
22 sentence of five years and a maximum of 20 years.

23 And Count Four charges the defendant with possession
24 of child pornography in violation of Title 18, United States
25 Code, Section 2252A(a)(5)(B). That has no mandatory minimum

1 sentence but a maximum sentence of 20 years.

2 THE COURT: Okay.

3 Mr. Sprenger, do you understand the nature of what
4 you're being charged with?

5 THE DEFENDANT: Yes, Your Honor.

6 THE COURT: Do you understand the maximum possible
7 penalties allowable under any scenario?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: You understand this is not a prediction
10 of a penalty that you would receive?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Okay. When last time you appeared, there
13 was a waiver of detention. The case was indicted on -- just
14 recently on July 5th of 2018.

15 There is a status hearing before Judge Tharp set for
16 July 24th of 2018 at 9:00 a.m., and the pretrial motion
17 schedule within which each side is given time to tender to the
18 other side its documents and to file its motions, that's
19 deferred until January [sic] 24, 2018 at the status hearing
20 before Judge Tharp.

21 I should ask the government if it has any motions at
22 this time.

23 MS. GREENING: Your Honor, the government will be
24 moving for a protective order governing discovery based on the
25 sensitive nature of some of these documents, that we wish to

1 protect the identities of minor victims.

2 THE COURT: Okay.

3 Is there an objection to that, or is that a work in
4 progress? Are you going to show the defense and then the
5 defense will interpose any possible objections?

6 MR. BRANDSTRADER: There's no objection, Judge.

7 THE COURT: All right.

8 Without objection, this Court will approve the
9 drafting, and I believe that ultimately it will be Judge Tharp
10 who will issue that order; but preliminarily, certainly
11 without objection, the government can proceed in that respect.

12 Is the government moving to exclude the time?

13 MS. GREENING: Yes, Your Honor. The government moves
14 to exclude time in the interest of justice.

15 THE COURT: Between now --

16 MR. BRANDSTRADER: No objection.

17 THE COURT: -- and the 24th, in the interest of
18 justice, without objection, the time will be excluded.

19 Is there anything else from the government at this
20 time?

21 MS. GREENING: No, Your Honor.

22 THE COURT: Okay.

23 Mr. Brandstrader?

24 MR. BRANDSTRADER: Judge, may I ask, the second court
25 date you gave, a status on pretrial motions?

1 THE COURT: The same hearing -- actually,
2 Mr. Brandstrader, there's going to be a status on the 24th at
3 9:00 in the morning. And I believe what I have here is that
4 motion schedule is deferred until that hearing. I believe
5 Judge Tharp will set the whole schedule for you then.

6 MR. BRANDSTRADER: I missed it. I'm sorry.

7 THE COURT: That's all right. No need to apologize.
8 All right. Anything else from the government?

9 MS. GREENING: No, Your Honor.

10 THE COURT: Defense?

11 MR. BRANDSTRADER: No, Judge.

12 THE COURT: Good luck to you, sir.

13 THE DEFENDANT: Thank you, sir.

14 (Which were all the proceedings heard.)

15

16 CERTIFICATE

17 I certify that the foregoing is a correct transcript from
18 the record of proceedings in the above-entitled matter.

19 */s/Kelly M. Fitzgerald*

January 14, 2020

20

Kelly M. Fitzgerald
Official Court Reporter

Date

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